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8 **UNITED STATES DISTRICT COURT**

9 **DISTRICT OF NEVADA**

10 TETSUYA NAKAMURA, an individual,

11 Case No.: 2:22-cv-01324-MMD-EJY

12 Plaintiff,

13 v.

14 **STIPULATION AND [PROPOSED]**
ORDER SETTING BRIEFING
SCHEDULE ON RENEWED MOTION
TO DISMISS
(Second Request)

15 SUNDAY GROUP INCORPORATED, a
 16 Delaware corporation, *et al.*,

17 Defendants.

18 Plaintiff Tetsuya Nakamura and Defendants Sunday Group Incorporated, SGI Trust, Toshiki
 19 (Todd) Mitsuishi and James Pack (collectively, “Defendants”), hereby stipulate as follows:

20 WHEREAS, Defendants timely filed their First Amended Answer and Counterclaim (Dkt. 59)
 21 on August 10, 2023;

22 WHEREAS, pursuant to stipulation and order of the Court (Dkt. 61), Plaintiff timely filed his
 23 Motion to Dismiss Counterclaimants’ Amended Counterclaims (Dkt. 68) on October 5, 2023 (the
 24 “Motion”);

25 WHEREAS, pursuant to stipulation and order of the Court (Dkt. 61), Defendants’ opposition
 26 to Plaintiff’s Motion is currently due on November 2, 2023, and Plaintiff’s reply is due by November
 27 30, 2023;

1 WHEREAS, due to Defendants' counsel's current workloads and other conflicts, the parties
2 have stipulated to revise the briefing schedule on the Motion;

3 WHEREAS, the revision to the Motion briefing schedule will not delay ongoing discovery or
4 other litigation in this matter;

5 **IT IS ACCORDINGLY STIPULATED**, pursuant to Civil L.R. 6-1 and 6-2, that:

6 1. Defendants shall file their opposition to the Motion by December 1, 2023.
7 2. Plaintiff shall file any reply to the opposition by January 12, 2024.

9 DATED: October 24, 2023

CLYDE SNOW & SESSIONS, P.C.

10 By: /s/ Timothy R. Pack
11 Timothy R. Pack (UT Bar # 12193)

12 Attorneys for Defendants
13 SUNDAY GROUP INCORPORATED,
SGI TRUST, TOSHIKI (TODD) MITSUISHI
AND JAMES PACK

14 DATED: October 24, 2023

FENWICK & WEST LLP

15 By: /s/ Casey O'Neill
16 Casey O'Neill

17 Attorneys for Plaintiff
18 TETSUYA NAKAMURA

21 **ORDER**

22 IT IS SO ORDERED:

25 _____
26 THE HONORABLE ELAYNA J. YOUCRAH
UNITED STATES MAGISTRATE JUDGE

27 DATED: _____